

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case Number 09-12041
Honorable Thomas L. Ludington

v.

KATHERINE J. BIDOUL,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT, AND DIRECTING PLAINTIFF TO FILE A
PROPOSED JUDGMENT**

On May 27, 2009, Plaintiff United States of America filed a complaint [Dkt # 1] against Defendant Katherine J. Bidoul regarding student loan indebtedness. On September 29, 2009, Plaintiff filed a motion for summary judgment [Dkt. # 7]. While Defendant answered the complaint, Defendant did not respond to Plaintiff's motion for summary judgment. Now before the Court is the report and recommendation of the magistrate judge [Dkt. # 11], issued on November 17, 2009, recommending that Plaintiff's motion be granted. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the report and recommendation of the magistrate judge [Dkt. # 11] is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion for summary judgment [Dkt. # 7] is **GRANTED**.

It is further **ORDERED** that Plaintiff is **DIRECTED** to **FILE** a proposed judgment on or before **December 23, 2009**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: December 10, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 10, 2009.

s/Tracy A. Jacobs
TRACY A. JACOBS